

The City Council met at 4:00 p.m. on December 3, 2012 for a work session open to the public in City Council Chambers regarding the Aberdeen Area Master Transportation Plan Update. No action was taken.

#### CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, December 3, 2012, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jeff Mitchell, Mark Remily, Clint Rux, Jennifer Slaughter-Hansen, and Laure Swanson. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Doug Johnson, and Aaron Kiesz. Mayor Levsen led the Pledge of Allegiance.

#### MINUTES

Mitchell moved, Swanson seconded to approve the minutes of November 26 and 27, 2012, as circulated. All voting aye, motion carried.

OPEN FORUM – No one was present.

#### OLD BUSINESS

##### ORDINANCE NO. 12-11-02

Campbell moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 12-11-02 rezoning from Section 706 (C-1)/Section 711 (R-4) to Section 705 (R-3)/Section 711 (R-4) Lot 11, Block 23, Thomas Addition. Upon roll call, all voting aye, motion carried.

##### ORDINANCE NO. 12-11-04

Mitchell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-11-04 rezoning from Section 707 (C-2) and Section 705 (R-3) to Section 707 (C-2) Lots 4 and 5, Arbor Springs Second Addition to the City of Aberdeen. Upon roll call, all voting aye, motion carried.

##### ORDINANCE NO. 12-11-05

Agnitsch moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 12-11-05 rezoning from Section 705 (R-3) to Section 706 (C-1) Lot 1, Aberdeen Public Schools First Addition. Upon roll call, all voting aye, motion carried.

##### ORDINANCE NO. 12-11-08

Mitchell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-11-08 setting the salaries and wages of City Officials and Employees for the upcoming year. Upon roll call, all voting aye, motion carried.

##### CONTINUED – ORDINANCE NO. 12-11-07

Ordinance No. 12-11-07 amending Article IV of Chapter 56 of the Aberdeen Municipal Code dealing with landscaping requirements was presented. Rux moved, Slaughter-Hansen seconded to approve first reading of Ordinance No. 12-11-07. Campbell moved, Bunsness seconded to amend Section 56-210 to add paragraph (d) “Existing property with improved green space of 20% or greater would be exempt from parking lot islands.” Rux moved, Swanson seconded to continue the amendment. Upon roll call, Mitchell, Slaughter-Hansen, Agnitsch, Swanson, Rux, and Levsen voting aye, Remily, Campbell, and Bunsness voting nay, motion to continue the amendment carried. Rux moved, Swanson seconded to delete Section 56-113 (c). Motion carries by voice vote. Rux moved, Mitchell seconded to delete Section 56-113 (e). Motion carries by voice vote. Rux moved, Campbell seconded to amend Section 56-210 (c) by replacing “distributed evenly” with “as specified in the approved landscape plan”. Motion carries by voice vote. Campbell moved, Remily seconded to amend Section 56-210 (c) by changing “10,000” to “15,000” and changing “any lot” to “any contiguous lot”. Upon roll call, Swanson, Bunsness, Agnitsch, Campbell, Remily, and Levsen voting aye, Rux, Slaughter-Hansen, and

Mitchell voting nay, motion carried. Motion by Bunsness, seconded by Campbell to continue first reading of the Ordinance until December 10, 2012. Upon roll call, Remily, Campbell, Agnitsch, Bunsness, Swanson, Rux, and Levsen voting aye, Mitchell and Slight-Hansen voting nay, motion carried.

CONSENT CALENDAR

Rux moved, Swanson seconded to approve the following items on the consent calendar:

SPECIAL ONE-DAY LICENSES - for Retail On-Off Sale Wine and Retail On-Off Sale Malt Beverages on February 2, 2013 for the Yelduz Shriners dba Hawaiian Luau Event at 802 South Main Street.

SET HEARING DATE – of December 17, 2012 at 5:30 p.m. for the Transfer of Retail On-Sale Liquor License from Emerald Pub LLC dba Emerald Pub, 23 6<sup>th</sup> Avenue, SW (Inactive Status) to Trina Zomers dba CHASKIZ, 23 6<sup>th</sup> Avenue, SW (Inactive Status).

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 12-12-01

Ordinance No. 12-12-01 establishing the number of regular full-time positions and their position titles, and fix the bonds of City Officials and Employees was presented. Bunsness moved, Rux seconded to approve first reading of Ordinance No. 12-12-01. Upon roll call, all voting aye, motion carried.

JOINT COOPERATIVE AGREEMENT

Mitchell moved, Rux seconded to approve and authorize the Mayor to sign the Joint Cooperative Agreement for the upcoming year with the Northeast Council of Governments (NECOG) for the City of Aberdeen. All voting aye, motion carried.

HEARING – MALT BEVERAGE LICENSE

This being the time and place set for a hearing on an application for a new Retail On-Off Sale Malt Beverage License, recommendations for approval were received, Campbell moved, Remily seconded to approve a Retail On-Off Sale Malt Beverage License for Sergio Aguirre at the LaMonarca Mexican Store at 3015 6<sup>th</sup> Avenue, SE, Suite #9. All voting aye, motion carried.

PROFESSIONAL SERVICES AGREEMENT

Bunsness moved, Swanson seconded to authorize the City Manager to proceed with the Water Treatment Intake Project on the Elm River and sign Clark Engineering's proposed Professional Services Agreement for Engineering Services including surveying, mapping, permitting, and preparing documents for bidding of the project after approval of the documents by the City Attorney. All voting aye, motion carried.

LEASE RENEWAL

Mitchell moved, Bunsness seconded to approve a five-year extension of the lease for the Aberdeen Convention Center with Ramkota Companies, Inc. All voting aye, motion carried.

PROFESSIONAL SERVICES AGREEMENT

Bunsness moved, Agnitsch seconded to authorize the City Manager to sign the Agreement with Helms & Associates for Professional Services for the AIP #3-46-0001-033-2013 Project for Wetland Removal Mitigation and Storm Water Improvements not to exceed \$323,410.00. All voting aye, motion carried.

BILLS

Bunsness moved, Slight-Hansen seconded to approve the following audited bills for services, supplies, repairs and maintenance: United Parcel Service 134.03; SD State Historical Society 45.00; Fleet Services 304.01; Midcontinent Communications 127.34; US Bank 22,543.81; Helms & Associates 12,010.10; Upper Plains Contracting 214,905.66.

Upon roll call, all voting aye with Mitchell abstaining, motion carried.

#### PAYROLL

Rux moved, Bunsness seconded to approve the payroll for period from November 18, 2012 through December 1, 2012 and City's share of social security, old age & survivor's insurance, retirement, health & life insurance: Wells Fargo 97,194.37; SD Retirement System 59,761.92; Governing Body 3,192.28; City Manager 6,240.31; City Attorney 3,574.40; Finance 12,977.20; HR 6,810.40; Building 249.80; Computer 3,503.20; Planning/Zoning 9,963.20; Engineering 10,054.40; Police 95,792.36; Fire 85,408.84, Michael Roemmich 16.79/hr; Fire Prevention 3,894.40; Housing/Building 4,956.80; Street 21,474.40; Traffic 3,949.28; Solid Waste 17,394.05; Transportation 13,081.90; Library 20,935.32; Parks, Rec, Forestry 69,781.90, Elyssa Behan 9.00/hr or 15.50/class, Sarah Habedank 8.00/hr; Airport 11,733.19; Pipe 19,069.80; Water Treatment 15,971.03; Meter 3,802.40; Wastewater 18,466.25; Pump 4,835.70. Upon roll call, all voting aye, motion carried.

There being no further business, Bunsness moved, Swanson seconded that the meeting be adjourned. All voting aye, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.

#### JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, December 4, 2012, 8:45 a.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Todd Campbell, Jeff Mitchell, and Jennifer Slaughter-Hansen. Council Members David Bunsness, Mark Remily, Clint Rux, and Laure Swanson were absent. City Staff present were Brett Bill and Karl Alberts. County Commissioners present were Tom Fischbach, Mike Wiese, Nancy Hansen, and Duane Sutton. County Commissioner Burt Elliot was absent.

#### ORDINANCE NO. 12-11-01

Mitchell moved, Slaughter-Hansen seconded to approve second reading and final adoption of Ordinance No. 12-11-01 rezoning from Section 701 (A-1) to Section 714 (M-AG) Lot 14, Auditor's Subdivision. Upon roll call, all present voting aye, motion carried.

Fischbach moved, Wiese seconded to approve second reading and final adoption of Ordinance No. 12-11-01-412. All present voting aye, motion carried.

There being no further business before the Joint Council, Mitchell moved, Slaughter-Hansen seconded that the meeting be adjourned. All present voting aye, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.